

PATENT COOPERATION TREATY
PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
 (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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| Applicant's or agent's file reference B 14386.3JCI | FOR FURTHER ACTION | See Form PCT/IPEA/416 |
| International application No. PCT/FR2004/050534 | International filing date (day/month/year) 26.10.2004 | Priority date (day/month/year) 31.10.2003 |
| International Patent Classification (IPC) or national classification and IPC C25D17/06, C25D17/12 | | |
| Applicant COMMISSARIAT A L'ENERGIE ATOMIQUE | | |

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|---|---------------------|---|------------------|---------------------|--------------------------|-------------------|----------|--------------------------|--------------------|--|--------------------------|-------------------|----------------------------|-------------------------------------|------------------|---|--------------------------|-------------------|-------------------------|--------------------------|--------------------|--|--------------------------|---------------------|---|
| <ol style="list-style-type: none"> 1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of 6 sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: <ol style="list-style-type: none"> a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows: <ul style="list-style-type: none"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____ containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). | | | | | | | | | | | | | | | | | | | | | | | | | |
| <ol style="list-style-type: none"> 4. This report contains indications relating to the following items: <table border="0" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 15%;">Box No. I</td> <td style="width: 70%;">Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table> | | <input checked="" type="checkbox"/> | Box No. I | Basis of the report | <input type="checkbox"/> | Box No. II | Priority | <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | <input type="checkbox"/> | Box No. IV | Lack of unity of invention | <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement | <input type="checkbox"/> | Box No. VI | Certain documents cited | <input type="checkbox"/> | Box No. VII | Certain defects in the international application | <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. II | Priority | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. IV | Lack of unity of invention | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VI | Certain documents cited | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application | | | | | | | | | | | | | | | | | | | | | | | |

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|---|-----------------------------------|
| Date of submission of the demand | Date of completion of this report |
| Name and mailing address of the IPEA/EP | Authorized officer |
| Facsimile No. | Telephone No. |

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

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Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- This report is based on translations from the original language into the following language _____ which is the language of a translation furnished for the purposes of:
- international search (Rule 12.3 and 23.1(b))
 - publication of the international application (Rule 12.4)
 - international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):
- the international application as originally filed/furnished
- the description:
pages 1-10 _____ as originally filed/furnished
pages* _____ received by this Authority on _____
pages* _____ received by this Authority on _____
- the claims:
nos. 1-7 _____ as originally filed/furnished
nos.* _____ as amended (together with any statement) under Article 19
nos.* _____ received by this Authority on _____
nos.* _____ received by this Authority on _____
- the drawings:
sheets 1/3-3/3 _____ as originally filed/furnished
sheets* _____ received by this Authority on _____
sheets* _____ received by this Authority on _____
- a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. The amendments have resulted in the cancellation of:
- the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (specify): _____
 - any table(s) related to sequence listing (specify): _____
4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- the description, pages _____
 - the claims, nos. _____
 - the drawings, sheets/figs _____
 - the sequence listing (specify): _____
 - any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded".

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|-----------|---|
| Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
|-----------|---|

1. Statement

| | | | |
|-------------------------------|--------|--------------|-----|
| Novelty (N) | Claims | <u>1 - 7</u> | YES |
| | Claims | _____ | NO |
| Inventive step (IS) | Claims | _____ | YES |
| | Claims | <u>1 - 7</u> | NO |
| Industrial applicability (IA) | Claims | <u>1 - 7</u> | YES |
| | Claims | _____ | NO |

2. Citations and explanations (Rule 70.7)

1. Clarity

The application fails to comply with the requirements of PCT Article 6, since claim 1 is not clear. In said claim, the "mechanism for deploying the retaining contacts in a radial direction" and "a second mechanism for moving a substrate perpendicularly to the radial direction relative to the retaining contact" are mentioned. It is not clear whether the radial direction refers to one single direction or two, i.e. that of the deployment of the retaining contacts and that caused by the rotation of the mechanism for moving the substrate.

Claim 1 is not supported by the description, as required by PCT Article 6, since its scope is broader than that justified by the description and the drawings. The reasons are as follows: according to page 3, lines 7 to 10, page 8, line 24 to page 9, line 14 and the drawings of figures 1 and 3, dissociating the movement of closing the circle of retaining contacts in a radial direction from the vertical movement of said retaining contacts towards the workpiece is essential. This dissociation is obtained by the camwheel, the cams of which, by rotating, press on levers of the contact

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

elements built into said cams, thereby enabling said retaining contacts to be opened or closed, whereas the vertical movement is provided by a screw system. Claim 1 in its present form describes "a camwheel pressing on supporting parts". Consequently, a vertical pressure applied by a wheel as described in D1, whether a camwheel or otherwise, so as to open the contacts would also be covered by such a claim.

It is clear from page 4, lines 3 to 12, page 8, lines 5 to 8 and 24 to 31, and page 9, lines 1 to 14 of the description that applying pressure by rotation and the position of the retaining contacts relative to the camwheel are essential for the definition of the invention.

Since independent claim 1 does not contain these features, it fails to meet the requirements of PCT Article 6 in combination with PCT Rule 6.3(b), according to which an independent claim must contain all of the technical features essential for the definition of the invention.

2. In the light of the objections raised in point 1 above, it follows that claims 1 to 7 also lack an inventive step.
3. Reference is made to the following document:
D1: EP 1 191 128 A (EBARA CORP; TOKYO SHIBAURA ELECTRIC CO (JP)) 27 March 2002
4. D1, which is considered to be the most relevant prior

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability: citations and explanations supporting such statement

art, describes (the references between parentheses apply to said document): a holder for a workpiece (W) to be coated, which includes workpiece retaining contacts (76) arranged around and curved towards the workpiece to be coated, a first mechanism for deploying the retaining contacts in a radial direction and a second mechanism (figures 4, 5 and 13) for moving the substrate perpendicularly to the radial direction (page 6, line 33 and figure 4) relative to the retaining contacts; wherein the first mechanism includes a wheel (68) holding the retaining contacts (76) and a wheel (82) pressing on supporting parts (figure 5, page 7, paragraph 48) of the retaining contacts forming part of the holding wheel (68), such that the holding wheel and the wheel are coaxial. The subject matter of independent claim 1 differs therefrom in that the holder includes a substrate of which a front face is provided with an indentation for receiving the workpiece, the wheel pressing on the supporting parts is a camwheel and the holding wheel and the camwheel are designed to be mutually rotationally free.

- 4.1 The subject matter of claim 1 is therefore novel (PCT Article 33(2)).

The problem that the present invention is intended to solve can be considered to be that of fastening the workpiece to be coated.

- 4.2 The solution to this problem, as proposed in claim 1 of the present application, is not considered to involve an inventive step (PCT Article 33(3)) for the following reasons (see also Box VIII):

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Box No. V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

The feature whereby the workpiece to be coated is fastened by means of a substrate of which a front face is provided with an indentation for receiving the workpiece is merely one of several obvious options that a person skilled in the art seeking to solve the stated problem might select, depending on each particular case, and without an inventive step being involved. The same applies to the selection of a camwheel and wheels that are mutually rotationally free.

- 4.3 In the light of the documents and corresponding passages cited in the international search report, dependent claims 2 to 7 contain no feature which, when combined with the features of any one of the claims to which they refer, defines subject matter that complies with the PCT requirements of inventive step.

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Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box I

Basis of the report

Letter of 27/12/05